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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1035 OF 2007

Mrs. Mamta Santosh Kumar Singh ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. R.B. Singh for the petitioner.

Mr. A.S. Gadkari, A.P.P. for the State.

CORAM : SMT. RANJANA DESAI & D. B. BHOSALE, JJ.

DATED : 16TH JUNE, 2007.

P.C.:-

1. The petitioner-wife has prayed that a direction be issued against respondent 1 to make further investigation in Sessions Case No.384 of 2005 in the light of the allegations made in the complaint dated 13/11/2005 as well as FIR No.454 of 2005 of Ghatkopar Police Station.

2. We have heard Mr. Singh, the learned counsel for the petitioner and Mr. Gadkari, the learned A.P.P. for the State.

3. Shortly stated the grievance of the petitioner is that respondents 2 to 4 have falsely represented to the petitioner that respondent 4 is a doctor holding

B.H.M.S. degree. However, he does not hold any such degree. The learned counsel for the petitioner states that he has sufficient proof in respect of this allegation and that has already been handed over to the police. However, the police have not taken necessary steps.

4. The learned A.P.P. states that the police are conducting investigation in respect of these allegations. The police have sent letter to the Medical Council of India to find out whether the petitioner holds B.H.M.S. degree and they are awaiting reply from the Medical Council of India. The learned A.P.P. states that as far as the allegation that respondent 4 is running a dispensary in Dharavi area is concerned, a complaint has been forwarded to Sahu Nagar Police Station, Dharavi, for necessary inquiry and the police are awaiting response from Sahu Nagar Police Station. The learned A.P.P. states that if further investigation indicates that the allegations made by the petitioner are correct then, the police will file appropriate report before the learned Magistrate under section 173 of the Criminal Procedure Code. In view of this statement, nothing survives in the petition. The petition is disposed of.

[SMT. RANJANA DESAI, J.]

[D. B. BHOSALE, J.]